

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>ETHEL “LAVERNE”</b>	§	
<b>MCVAE &amp; WILEY WEST,</b>	§	
<b>Individually, and on behalf</b>	§	
<b>of the Estate of MARCUS</b>	§	
<b>MCVAE, Deceased</b>	§	
<b>Plaintiffs,</b>	§	
	§	
	§	
	§	
<b>V.</b>	§	<b>CIVIL ACTION NO. 5:21-CV-00366 DAE</b>
	§	
<b>JESSE PEREZ, Individually,</b>	§	
<b>Defendant.</b>	§	

**JOINT REPORT REGARDING ALTERNATE DISPUTE RESOLUTION**

TO THE HONORABLE SENIOR DISTRICT JUDGE DAVID EZRA:

The parties hereby jointly file their report to the Court regarding alternative dispute resolution in accordance with this Court’s Order and Rule CV-88 of the Western District of Texas.

**I. Status of Settlement Negotiations**

1. The parties have initiated discussions regarding the possibility of resolving the case by agreement.

**II. Persons Responsible for Settlement Negotiations**

2. Plaintiffs’ representatives responsible for settlement negotiations are:

Edward L. Pina	Attorney
Ethel “Laverne” McVae	Plaintiff

James Roberts  
Marcus Wiley West

Attorney  
Plaintiff

3. Defendant's representatives responsible for settlement negotiations are:

Christopher Lindsey  
Jesse Perez

Assistant Attorney General  
Defendant

4. The parties remain optimistic that this case can and should be resolved with minimal court involvement if an experienced mediator is designated.

### **III. Method of Alternative Dispute Resolution**

5. Counsel of record certify they have informed their respective clients of the ADR procedures available in the Western District of Texas and the parties have agreed to participate in mediation.

6. The parties have agreed to have Bert Pluyman, Pluyman Law, PLLC, Mira Vista Building, 2705 Bee Cave Rd., Suite 225, Austin, Texas 78746, (512) 415-9111 serve as mediator in the case and to split the costs between plaintiffs and the defense.

Respectfully submitted,

*/s/ James P. Roberts*

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**JAMES P. ROBERTS**

State Bar No. 24105721

**SCOTT H. PALMER**

State Bar No. 00797196

SCOTT H. PALMER, P.C.

15455 Dallas Parkway, Suite 540

Addison, Texas 75001

(214) 987-4100 Telephone

(214) 922-9900 Facsimile

Email: [scott@scottpalmerlaw.com](mailto:scott@scottpalmerlaw.com)

Email: [james@scottpalmerlaw.com](mailto:james@scottpalmerlaw.com)

**Attorneys for Plaintiff Wiley West,  
Individually, and on behalf of the  
Estate of Marcus McVae, Deceased**

*/s/ Edward L. Piña*

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**EDWARD L. PIÑA**

Attorney at Law

State Bar No. 16011352

**MATTHEW N. GOSSEN**

Attorney at Law

State Bar No. 24069814

**EDWARD L. PIÑA & ASSOCIATES, P.C.**

***The Ariel House***

8118 Datapoint Drive

San Antonio, Texas 78229

(210) 614-6400 Telephone

(210) 614-6403 Facsimile

Email: [epina@arielhouse.com](mailto:epina@arielhouse.com)

Email: [mgossen@arielhouse.com](mailto:mgossen@arielhouse.com)

**Attorneys for Plaintiff Laverne McVae,  
Individually, and on behalf of the Estate of**

**Marcus McVae, Deceased**

**KEN PAXTON**

Attorney General of Texas

**BRENT WEBSTER**

First Assistant Attorney General

**GRANT DORFMAN**

Deputy First Assistant Attorney General

**SHAWN COWLES**

Deputy Attorney General for Civil Litigation

**SHANNA E. MOLINARE**

Division Chief

Law Enforcement Defense Division

*/s/ Christopher Lee Lindsey*

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**CHRISTOPHER LEE LINDSEY**

Assistant Attorney General

State Bar No. 24065628

P.O. Box 12548, Capitol Station

Austin, Texas 78711

(512) 463-2080 Telephone

(512) 936-2109 Facsimile

**ATTORNEYS FOR JESSE PEREZ**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this document has been forwarded to the following counsel of record in accordance with the Districts ECF service rules on this 16th day of July, 2021 as follows:

Christopher Lee Lindsey  
Assistant Attorney General  
State Bar No. 24065628  
P.O. Box 12548, Capitol Station  
Austin, Texas 78711  
[Christopher.Lindsey@oag.texas.gov](mailto:Christopher.Lindsey@oag.texas.gov)

/s/ Edward L. Piña  
**EDWARD L. PIÑA**